

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

CLERK OF DISTRICT COURT
NORTHERN DIST. OF TX
FORT WORTH DIVISION
FILED

2019 AUG -2 PM 3:02 CTJ

American Airlines, Inc.,

Plaintiff,

v.

Transport Workers Union of
America, AFL-CIO, International
Association of Machinists and
Aerospace Workers, and Airline
Mechanic and Related Employee
Association TWU/IAM,

Defendants.

DEPUTY CLERK PJ

Civil Action No. 4:19-CV-00414-A

**DEFENDANTS' UPDATE TO THE COMPLIANCE DECLARATIONS AND EXHIBITS
FILED ON JULY 30, 2019 AS ECF NO. 127**

Pursuant to this Court's July 10, 2019 Order (ECF No. 111) Defendants Transport Workers Union of America, AFL-CIO ("TWU"), International Association of Machinists and Aerospace Workers ("IAM"), and Airline Mechanic and Related Employee Association TWU/IAM ("Association") (collectively, "Defendants") respectfully file the following sworn declarations of Timothy Klima and Gary Peterson updating the Court on the further steps taken toward compliance with the July 10 Order subsequent to the declarations filed on July 30, 2019 as ECF document number 127.

<u>Tab</u>	<u>DESCRIPTION</u>
A.	<u>DECLARATION OF TIMOTHY KLIMA</u>
B.	<u>DECLARATION OF GARY PETERSON</u>
Exh. 1	List of aircraft mechanics in attendance at the in-person meetings conducted from July 30-August 1, 2019 pursuant to paragraph a of the Modifications to the TRO

Dated: August 2, 2019

Respectfully Submitted,



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Employee Association TWU/IAM*

CERTIFICATE OF SERVICE

I certify that on this 2nd day of August 2019 a true and correct copy of the foregoing document was served on counsel for all parties of record listed below by a means permitted by Rule 5(b)(2) of the Federal Rules of Civil Procedure ("F.R.C.P.").


SANFORD R. DENISON

TAB A.
DECLARATION OF
TIMOTHY KLIMA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

American Airlines, Inc.,
Plaintiff,
v.
Transport Workers Union of
America, AFL-CIO, International
Association of Machinists and
Aerospace Workers, and Airline
Mechanic and Related Employee
Association TWU/IAM,
Defendants.

DECLARATION OF TIMOTHY KLIMA

Timothy Klima hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I submit this Declaration pursuant to the Court's Order of July 10, 2019 (ECF No. 111) to update the Court on steps taken by IAM and the Association toward compliance with the requirements of that Order since July 29, 2019, the date my last declaration was executed. (ECF No. 127, Tab A). I make this Declaration based on my personal knowledge and the records of IAM and the Association.

Phone Calls (July 10 Order Paragraph (c)).

2. Paragraph (c) of the July 10 Order requires senior IAM leaders to make phone calls to mechanics who did not attend previously held in-person meetings. IAM and the Association have obtained from American lists of mechanics scheduled to work the overnight shift and compared them with the sign-in sheets from those in-person meetings to determine who they should call.

3. Using a list of phone numbers provided by American, on July 30, 2019, IAM made the phone calls required by paragraph (c). IAM called over 600 individuals. In order to most efficiently and effectively make those calls, IAM General Vice President Pantoja recorded a personal message urging compliance with the Modified TRO, which was delivered through an automated calling system during the time of day when overnight shift workers were expected to be at home. The calls were completed by noon local time for all such employees.

Acknowledgement Forms (July 10 Order Paragraph (f)).

4. Paragraph (f) of the July 10 Order requires that “Each of Defendants’ members shall sign and date an acknowledgement form stating that they have read and understand their obligation to comply with the modified Temporary Restraining Order upon risk of being disciplined or fined by Defendants and American.”

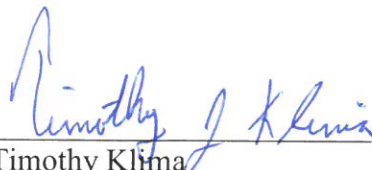
5. IAM and the Association have continued the process of having union representatives meet with employees at their respective stations and provide them with acknowledgment forms for signature. As of this date, IAM representatives have met with members who work as mechanics at all shifts at the following stations (using official airport abbreviations) to provide and collect acknowledgement forms: ATL, CLT, PIT, BOS, DCA, DFW, FLL, IAH, LAS, MCO, ORD, PHL, PHX, SEA, TPA. One remaining station visit is scheduled to be completed by the end of this week, with two remaining visits scheduled to be completed by August 7, 2019.

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I declare under penalty of perjury that the foregoing is true and correct. Executed on this

1st day of August 2019.


Timothy Klima

TAB B.
DECLARATION OF
GARY PETERSON

3. Defendants have taken the following steps toward compliance with the provisions of the Modifications to June 14, 2019 Temporary Restraining Order, issued on July 10, 2019:

In-Person Group Meetings (July 10 Order Paragraph (a)).

A meeting with senior TWU leaders pursuant to paragraph a of the Modified TRO took place with aircraft mechanics on the RON shift at the following Line Maintenance Station on the date indicated: **SJU** – July 30, 2019 (Peterson and Mayes present). A list of those aircraft mechanics who were in attendance at the meeting is attached as Exhibit 1. A summary of what TWU leaders said at the meeting was previously filed with the court.

The July 10 Order allowed American Airlines' management to attend each of these in-person meetings, and management did attend the in-person meeting referenced above, which was held at an American Airlines' facility.

In-person Group Meetings – Union Officials (July 10 Order paragraph (b)).

A meeting was scheduled to take place at MIA on August 1, 2019. I arrived at MIA from SJU at approximately 12:40 p.m. on August 1, 2019. I was in attendance and prepared to conduct the meeting to be held at MIA, until approximately 4:00 p.m., but was unable to because I did not receive the information that had been requested from American Airlines regarding my point of contact from MIA.

Phone Calls (July 10 Order Paragraph (c)).

TWU is continuing the process of identifying those employees on the RON shifts who were unable to attend the meetings held pursuant to paragraph a of the Modified TRO, and is continuing the process of calling those aircraft mechanics as required by paragraph c of the Modified TRO. TWU Leadership is also continuing the process of calling TWU union

representatives who were unable to attend the union-leader meetings pursuant to paragraph b of the Modified TRO.

Acknowledgement Forms (July 10 Order Paragraph (f)).

Paragraph (f) of the July 10 Order requires that “Each of Defendants’ members shall sign and date an acknowledgement form stating that they have read and understand their obligation to comply with the modified Temporary Restraining Order upon risk of being disciplined or fined by Defendants and American.” TWU local representatives are continuing the process of meeting with TWU Maintenance and Related workers to provide them with acknowledgement forms for their signature.

Overnight Productivity Levels (July 10 Order Paragraph (h)).

Paragraph (h) of the Modified TRO requires Defendants to “take all reasonable actions, including but not limited to communications to their members, to ensure that their members working at American’s line maintenance stations, within seven days of entry of the modified Temporary Restraining Order, achieve approximately, in the aggregate, on a 7-day moving average basis, overnight productivity levels equal to the aggregate status quo overnight productivity levels achieved in the summer of 2018 of 77.5%.” TWU is complying with this section through the communications and in-person meetings as described and outlined in the above paragraphs.

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I DECLARE under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Executed this 1 day of August, 2019 at Tarrant County, Texas.



Gary Peterson

DECLARATION OF
GARY PETERSON

Exhibit 1

DAILY MANNING COUNTS

DATE: Jul 30, 2019 WORKGROUP: SJU-GENERAL SHIFT: MID LOCATION: SJU ME

AVAILABLE MANPOWER	
AMT:	12
CC:	1
TCC:	0
INSP:	0
CLNR:	0

SJU MID CC-1 AMT-12 TCC-0 INSP-0 CLNR-0 LOC:

EMPLOYEE	EMP #	WORKGROUP	OCC	SEN	POS	SHIFT	EXCEPTIONS	QUAL	NOTES
MARTINEZ G		SJU-GENERAL	03/22/1987		CC AMT	21:00-07:30			
RAMOS JERRY		SJU-GENERAL	01/29/1990		AMT	21:00-07:30	VC 21:00-07:30		
LAMOSO, PHILLIP		SJU-GENERAL	04/19/1988		AMT	21:00-07:30			
RIVERA LOPEZ, ALFREDO		SJU-GENERAL	04/03/1989		AMT	21:00-07:30			
ROSA, JOSE		SJU-GENERAL	11/03/1988		AMT	21:00-07:30			
SANCHEZ, ERIC		SJU-GENERAL	04/27/1987		AMT	21:00-07:30			
SANES, CESAR		SJU-GENERAL	03/29/1988		AMT	21:00-07:30			
SANTOS, MANUEL JAVIER		SJU-GENERAL	07/15/2013		AMT	21:00-07:30			
RODRIGUEZ, JOSE		SJU-GENERAL	07/15/2013		AMT	21:00-07:30			A320F, B737-MAX8, B737-NG,
ALICEA LOPEZ, JUAN		SJU-GENERAL	11/21/2011		AMT	21:00-07:30			A320F, B737-MAX8, B737-NG,
CAMPANA, ANTHONY		SJU-GENERAL	05/29/1990		AMT	21:00-07:30			A320F, AVI, B737, B757, B767, LMAX ELEC, RLL
RAMOS RIVERA, RAUL		SJU-GENERAL	11/23/2011		AMT	21:00-07:30			
MERCADO, JORGE		SJU-GENERAL	11/01/1988		AMT	21:00-07:30			
COSTAS, PEDRO		SJU-GENERAL	11/03/1989		AMT	21:00-07:30			
ESPINOSA, EDNA		SJU-GENERAL	09/25/1988		AMT	21:00-07:30	VC 21:00-07:30		

Luis Rodriguez STORES AURELIO CALDERON
Hector Rodriguez ENESTO RIVERA
Ricardo Duboy
WILFREDO BARBOSA

ABYEL DORTZ
Jul 30, 2019

Daniel Rivera
NESTOR GOMEZ
FELIPE RONDON

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Exhibit 1